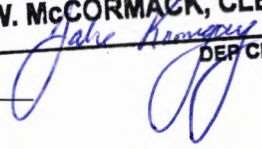


DISTRICT COURT OF THE UNITED STATES
EASTERN DISTRICT OF ARKANSAS
JONESBOR DIVISION
Case: 3:19-53

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

APR 08 2019

JAMES W. McCORMACK, CLERK
By:  DEP. CLERK

AMENDED
DECLARATORY JUDGEMENT
and
COMPLAINT
of
DEPRIVATION OF RIGHTS; CONSPIRACY AGAINST RIGHTS

sakima iban salih el bey
Preamble Citizen of the United States

VS.

OFFICER Johnson West Memphis Police Department West Memphis, AR 72301
OFFICER McElroy West Memphis Police Department West Memphis, AR 72301
CITY OF WEST MEMPHIS POLICE DEPARTMENT Broadway West Memphis, AR 72301
STATE OF ARKANSAS Asa Hutchinson State Capital Room 250 500 Woodlane Ave. Little Rock, AR 72201
Congress of Arkansas House of Representatives 500 Woodlane St. Suite 350 Little Rock, AR 72201-1089
Congress of Arkansas Senate 500 Woodlane St. Suite 320 Little Rock, AR 72201-1090

HEREIN Petitioner, Citizen of the United States Government not United States of America Government; Preamble Citizen of the United States not United States of America requests to obtain a "Declaratory Judgment" for the jurisdictional infringing, constitutional violations by depriving of Civil Rights being complicit, conspiring against petitioner privileges & immunities, need judicial review for the conflict of two state statutes, where the infringement, violation, deprivation, and conspiracy of OFFICER'S, Johnson, McElroy of the West Memphis, AR police department, who overstepped their jurisdiction to arrest and cite a Preamble Citizen of the United States government, in violation of law.

STATEMENT

I have the "public record" that the organization has been "organized", that in the Office of the Governor of Arkansas that makes petitioner a "STATE AGENCY" and subject's petitioner to the jurisdiction of the "Office of the Governor" "enterprise" – trust. There is no "registered agent" associated with petitioner which puts petitioner "in" the jurisdiction of OFFICER'S Johnson and McElroy of the West Memphis Police department et al. Petitioner is a "Citizen of the United States", not United States of America – Agency. Also as a "nonresident owner of a foreign license private passenger automobile" or "road machine" who was stopped, detained, and cited without authority to do so. Who was traveling in his road machine and was stopped without

proof of a "Crime". There is no "organization" of a "public record" that would give defendant's authority, jurisdiction over sakima iban salih el bey who is not, never was or have been a so-called "Sovereign Citizen", "lost at sea", "abandoned property". And to make a claim of such against sakima iban salih el bey subjects the CITY OF WEST MEMPHIS; STATE OF ARKANSAS; CONGRESS OF ARKANSAS; District Attorney Office; West Memphis Police Department; to civil suit in a competent court of law for jurisdictional violations. [*Petitioner was injured in his person by illegal arrest and his property having been towed by a 3rd party without cause to pay \$175 to retrieve it. The final agency action to do this resulted in petitioner having a crime committed against him in violation of Article 4 sec. 2 Constitution of the United States, in that petitioner is in the jurisdiction of the United States, not United States of America. Officer Johnson took him and placed him in the Crittenden County jail and having to give a bondswoman \$155 to be released; is entitled to judicial review, for a Declaratory Judgment and Complaint for conspiracy against rights and deprivation against rights.*]

CITY OF WEST MEMPHIS ARKANSAS

City of West Memphis is the respondent superior in charge of hiring and establishing hiring procedures. Creating policy with requirements for persons to apply to become a City police officer hereafter known as "City" is responsible by way of bond or insurance. City established a custom for police officers to step outside of their appointed jurisdiction to go into a jurisdiction superior to theirs and damage a Citizen of the United States not United States of America, without authority, delegated order of authority, or permission. City is liable for damages whom deprived and conspired against of petitioner to inflict the greatest degree of pain, suffering and a long train of abuse because the City always does it this way.

LIABILITY OF STATE OF ARKANSAS

Asa Hutchinson is being mentioned in a nominal basis. Being he was not present at the time of the criminal act....nor participated in it but, he is the chief operating officer of the "state agency", that as the person in charge for the affairs of the State has set the tone for West Memphis, AR to implement a brand of unlawful, illegal customs that are not Constitutional from state congress. To implement procedures contrary to the Constitution of the United States who are members of the "State Agency" of the trust created in the office of the Governor. His actions or behavior of not taking care that the rules, laws, of the State are carried out in compliance with the Constitution of the United States. Not create a climate to adhere to a custom, or create a policy that violates the article 4, sec 2 Constitutional "Privilege & Immunity" guaranteed to petitioner. By setting policy to allow a city, to use any unconstitutional means to create revenue by any means necessary against anyone whether a citizen of the city, State, or United States of America or not.

UNCONSTITUTIONAL ACTS OF ARKANSAS CONGRESS

- 1 The legislature Senate of Arkansas and House of Representatives of Arkansas hereafter known as "congress" deliberately created laws that are contrary to the

Constitution of Arkansas and Constitution of United States. Congress knew or should have known that there are 2 Constitutions created by the founders and 2 Declarations-of-Independence created by the founders too.

- 2 Congress wrote these unconstitutional laws to comply with the "State Agency" created in the office of the Governor called "STATE OF ARKANSAS" and from there established other "State Agencies" called the birth certificate or Certificate of Birth. However, the unconstitutional statute AR 27-16-303 and the Constitutional statute AR 27-16-603(2) are contrary to each other where Congress both wrote these 2 statutes and are in violation for having or allowing or creating the custom for other agents of Arkansas to enforce the unconstitutional statute against a person in the jurisdiction of United States, not United States of America.
- 3 Congress is complicit with corruption in various agencies of Arkansas where they created the false, fake, unconstitutional law; pass it on as policy to state agents to enforce. Those agents as a custom enforced them against citizens in Arkansas State as oppose to State of Arkansas. Also Citizens and other persons not within their jurisdiction i.e. petitioner who is a Citizen of the United States not United States of America.
- 4 Congress knew or should have known that to write laws contrary to the Constitution of United States and Constitution of Arkansas State is detrimental to the commingling of jurisdictions as listed in the Preamble of the Constitution of the United States. Also the founders Congressional notes that are part of the official drafting of the Constitution and Declaration which shows the intent of the founders. To create, establish, instill and operate 2 separate jurisdictions; one with privileges & immunities before such Congressional action of the founders.
- 5 Here now, the actions of defendants who knew or should have known, with a clear absence of all jurisdictions infiltrated, infringed upon the Preamble Citizen, that was forced arrested and subjected to jail, a false trial, and had the private property taken from him being the steward or Director of the entity who is the owner and to pay funds to retrieve the property of the owner of a road machine not belonging to petitioner.
- 6 This deliberate action caused congress to be in violation of law, to be saboteurs of the United States. To have been complicit with the enemies of the United States not United States of America, to take down, destroy, violate and confiscate all traces of Citizens of the United States, take control of the United States of America to bring comfort to the enemies of the United States for the deep state, elite, criminal, democrat-socialist-communist-new world order warmongers who have handcuffed the true Citizens of Arkansas State, United States, not State of Arkansas or United States of America. Judges, Sheriffs, Governors, Attorney's, Banks, Government etc.

DECLARATION

Petitioner has had his privileges & immunities infringed upon while traveling through the jurisdiction of the "State Agencies" administrative municipal City of West Memphis, Arkansas to obtain revenue illegally. Petitioner request Injunctive & Prospective relief, by this complaint & affidavit as witness of criminal activity in violation of Article 4, sec. 2 Constitution of the United States, Arkansas law AR 27-16-603; 27-23-119, against OFFICERS Johnson, McElroy of the West Memphis Police department. Inflicting statutes that are unconstitutional to raise revenue by any means necessary, against Citizens of the United States, outside of their jurisdiction, was deliberate with indifference to the 2 jurisdictions, Constitution of the United States, and Constitution of Arkansas.

DEPRIVING OF RIGHTS; CONSPIRACY OF RIGHTS

Officer Johnson prevented a Preamble Citizen of the United States, from the privileges and immunities owned by him from the United States not United States of America, and a Citizen in the United States not United States of America, while traveling in his road machine where officer Johnson, McElroy in the state agency - State of Arkansas conspired to prevent, by arrest, intimidation,...Officer's Johnson, McElroy after accepting or holding office of trust, - police officer, from confidence given under the United States in United States of America. Officer's Johnson, McElroy injured him in his person or property on account of their lawful discharge of the duties of their office, or while engaged in the lawful discharge thereof, or to injure petitioners property so as to molest, interrupt, hinder, or impede him in the discharge of their official duties; which petitioner was detained, interrupted by such deployment of duties.

Officer's Johnson, McElroy, under color of statute, or ordinance, or regulation, or custom, or usage, of State of Arkansas or Territory or the District of Columbia, subjects, or causes to be subjected, a Preamble citizen of the United States within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by Article 4, sec. 2 the Constitution and laws of United States, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. Petitioner sought declaratory judgment and injunctive relief but it was denied or violated being unavailable. For the purposes of this section, any Act of Congress on the delegated authority of defendants to conspire, infringe was the basis for defendants to act in the manner they did.

Petitioner does not own a vehicle, or any property that could be subject to defendants to arrest, take or confiscate by some legal but not lawful means. Point in fact is that road machine or vehicle is owned by a private foundation.

DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

Petitioner herein seeks a Declaratory Judgment and Injunctive Relief to the acts, behavior of Officer's Johnson, McElroy, who is not entitled to 11th amendment immunity because the actions are local in nature. Congress of Arkansas, STATE OF ARKANSAS, City of West

Memphis, is not entitled to sovereign immunity because of the purchase of insurance in bond and otherwise.

1 Article 4, section 2 Constitution of the United States provides petitioner with a privilege & immunity, to be free from jurisdictional infringement and violations where defendants created legislation to damage petitioner. Deprive him of his immunity. Conspire against him for being in the Jurisdiction of the United States to be free to ingress and regress without attachment of laches or "State Agency" contracts.

2 CONGRESS OF ARKANSAS has delegated its written law implementation to, CITY OF WEST MEMPHIS POLICE DEPARTMENT. STATE OF ARKANSAS who has delegated its statutory responsibility for, final policy making authority regarding the provision of not committing crime against Article 4, sec. 2 Constitution of the United States to Officers Johnson, McElroy.

3 CITY WEST MEMPHIS POLICE DEPARTMENT has delegated its operations to Officers' Johnson, McElroy STATE OF ARKANSAS – Governor, who has delegated final policy making authority CONGRESS OF ARKANSAS.

4 The policy making decisions of STATE OF ARKANSAS with regard to the provision of infringing, arresting, and violating the jurisdiction of United States not United States of America against a Preamble Citizen are within the jurisdictional bounds of STATE OF ARKANSAS, Crittenden County and are imputed to West Memphis Police Department.

5 The policy making decisions mentioned of WEST MEMPHIS POLICE DEPARTMENT including those imputed to officer's Johnson, McElroy by WEST MEMPHIS POLICE DEPARTMENT are imputed to Crittenden County by officer's Johnson, McElroy, are imputed and serve to bind both, Officer's Johnson, McElroy to the jurisdiction of Crittenden County Court directly or indirectly in violation of ARA 7-1-103; AR5-53-131.

6 It is the official policy of STATE OF ARKANSAS and WEST MEMPHIS POLICE DEPARTMENT to infringe the jurisdiction of United States not United States of America and cause irreparable harm by arresting a Preamble Citizen outside of their jurisdiction where they knew or should have known that there are two jurisdictions; United States and United States of America, per the Preamble of the Constitution of the United States.

7 The manner in which CITY OF WEST MEMPHIS POLICE DEPARTMENT officers are trained, including the design and implementation of training programs and the follow-up supervision of trainees, is a matter of policy.

8 These actions committed have become widespread to recognize the quality of custom or usage in WEST MEMPHIS POLICE Department. The official duty of final policy makers of WEST MEMPHIS POLICE DEPARTMENT inter alia, to be informed of custom or usage and, such policy makers CONGRESS OF ARKANSAS too who had manifest opportunities to inform WEST MEMPHIS POLICE DEPARTMENT and STATE OF ARKANSAS of the potential

actions to not violate the jurisdiction or that there are 2 jurisdictions per Constitution of United States, in this case caused irreparable harm to petitioner.

9 The actual or constructive knowledge of the existence of this custom or usage was intentionally with deliberate indifference, failed to correct or stop the practices and thus condoned it. This condonement may fairly be attributed in part to STATE OF ARKANSAS and WEST MEMPHIS POLICE DEPARTMENT and part to CONGRESS OF ARKANSAS.

10 The actions committed deprived petitioner of his Constitutional Privileges and Immunities to adequate allowance of Constitutional privilege to not be seized anywhere without law is furtherance of an official policy, custom or usage of WEST MEMPHIS POLICE DEPARTMENT, and STATE OF ARKANSAS, authorized by CONGRESS OF ARKANSAS and such official policy, custom, or usage was direct and proximate cause of such deprivation.

11 WEST MEMPHIS POLICE DEPARTMENT, STATE OF ARKANSAS, Officers' Johnson, McElroy are not entitled to qualified, sovereign immunity because of the purchase of "Bond Insurance".

12 Officers' Johnson, McElroy in their official capacities are each a person within the meaning of 42 USC 1983.

13 Such conduct poses a pervasive and unreasonable risk of Constitutional violations and injury- such are the violations here; to petitioner. CONGRESS OF ARKANSAS wrote unconstitutional laws and submits them to the STATE OF ARKANSAS for implementation to the WEST MEMPHIS POLICE DEPARTMENT for enforcement against a Citizen of the United States, not Citizen of the United States of America, who is out of their jurisdiction.

14 The deliberate indifference to, or tacit authorization of, such unconstitutional conduct shows the response of actual or constructive knowledge of this pervasive and unreasonable risk of Constitutional violation and injury to petitioner.

15 A reasonable person in the position of defendants would have known that his or her actions violated petitioner's Article 4, section 2 Constitutional Privileges and immunities along with certain state statutory provisions. Also, that Congress of Arkansas failed with deliberate disregard, indifference, to not inform agents of Arkansas that there are 2 Constitutions, 2 jurisdictions where persons of the United States are exempt from the jurisdiction of United States of America.

16 Treble damages are entitled to be given to petitioner for such wrong or injury pursuant to Arkansas Law.

17 Defendants' conduct was willful or wanton in that it constituted shock to the conscious and intentional disregard of, and indifference to, the privileges and immunities, of petitioner, which said defendants knew, or should have known, was reasonably likely to result in injury, damage, or IRREPARABLE harm.

JURISDICTIONAL VIOLATION BY WEST MEMPHIS POLICE OFFICERS

Questions Presented:

1 Does the Constitution of Arkansas make provision to deny a person that is exempt from a 'driver's license' in Arkansas who is in compliance with state code i.e. AR 27-16-603(2); AR 27-23-119 being "exempt"?

2 Does the Constitution of Arkansas make provision for a police Officer to ignore state law that verifies petitioner to be exempt under AR 27-16-603 and AR 27-23-119; where in his immediate possession he had a "valid driver's license" from his home state, United States not United States of America while traveling in his road machine, pursuant to the Preamble of the Constitution of the United States inter alia?

3 Why did the Legislature of Arkansas create statutes for Officer's Johnson, McElroy, who were given the valid driver's license of petitioner where they ignored it in violation of AR 27-16-603; AR 27-23-119 and ignored the identification as to being a "Preamble Citizen" who had a crime committed against him for complying with AR 27-23-119 inter alia. Officer Johnson has no evidence of such authority, nor does he have a delegated order of authority showing permission for violation of infringement of Article 4, sec. 2 Constitution of the United States. He charged petitioner with an Unconstitutional statute i.e. AR 27-16-603; inter alia; where if petitioner was subject to Arkansas state code; AR 27-23-119 exempts petitioner who was traveling in his road machine that states "*Any person while operating or driving any road machine..... temporarily operated or moved on a highway...*", such is the petitioner under AR 27-16-603 in that the legislature made provisions for officer's Johnson, McElroy to use an unconstitutional statute against petitioner in violation of the Constitution of Arkansas Article 1, sec 1-29 also federal regulation: Article 4, sec. 2 Constitution of the United States where they are liable and in violation of Article 4, sec. 2 of the Constitution of the United States & Constitution of Arkansas Article 1 section(s) 1-29?

4 Does the legislature have authority to ignore the Constitution of the United States, and write laws that are unconstitutional for state actors to charge a Preamble Citizen of the United States not the United States of America as listed in the Preamble? The Constitution of the United States does not delegate to officer Johnson et al, of the West Memphis Police department to infringe, violate, conspire and deprive petitioner's privileges & immunities?

5 AR Code 27-16-303 is un-Constitutional and contrary to AR 27-23-119, AR 27-16-603(2) where if petitioner was in the defendant's jurisdiction, while traveling in his road machine, and in the jurisdiction of United States not United States of America AR 27-16-603, AR 27-23-119 would apply to him. Road Machine is not defined in the code and thus applies to petitioner.

6 Does the Constitution of Arkansas and United States make provisions for defendants to arrest a Preamble Citizen of the United States not United States of America [*who did not drive, has never driven, or does anything in the STATE OF ARKANSAS.*]

JUDICIAL REVIEW

- 1 Petitioner shows the agency's final decision was made at the point of arrest, by the legal determination of the agency, "police department" representatives of West Memphis police department inter alia.
- 2 State statutes used to charge petitioner out of the jurisdiction of Officer's Johnson, McElroy were enforced from an "unconstitutional act of congress" or "unconstitutionality of state statute" which was established by State legislators which is unconstitutional. Petitioner's jurisdiction protects him and also the Constitution Article 4, sec. 2. Defendants have used unconstitutional legislation in Arkansas to enforce unconstitutional State Statutes that create harm, injury, and damage to Petitioners', privileges and immunities.
- 3 This action was perpetrated by officer's Johnson, McElroy et al, enforcing action from legislation that is unconstitutional where 'federal jurisdiction', has not allowed this unconstitutional act of State statutes or STATE "unconstitutional act of Congress", that there exists 2 Constitutions of the United States and 2 Declarations of Independence. These facts of law, verify petitioners position. It also shows the intent of the founders to have 2 jurisdictions where in the Arkansas code if petitioner was subject to it shows and verifies there are 2 statutes. One showing penalty for a suspended driver's license AR 27-16-303, where petitioner never had nor applied for a Driver's License [*evidence by DMV of S.C. who if were in that jurisdiction was in compliance with SC 56-3-120(2); who was traveling in his road machine of the type that could be subject to license and registration but was not because he incidentally operated or moved upon a highway*]. A statute shows you don't need a driver's license AR-27-16-603, AR 27-23-119 where these comply with the Constitution of United States not Constitution of the United States of America.
- 4 Herein petitioner verifies the jurisdiction he is in was violated and he infringed upon without authority, jurisdiction and a clear absence of all jurisdiction requests that a "judicial review" be sought to examine the aforementioned statutes. Defendants' condoning of jurisdictional violations from clearly established law, Article 4, sec. 2 Constitution, inter alia that the acts of officers inflicted a "crime" against petitioner where there exists a clear absence of all jurisdictions, regarding defendants to behave in this manner.

JURISDICTION IN THE NATURE OF CONSTITUTION

2 Constitutions: September 8th 1787 Representative McHenry of Maryland notes "the printed paper" (the Constitution) was referred to a committee to revise and rearrange. The revised draft was reported by the Committee of "Stile and arrangement" on September 12th 1787 and, according to the official Journal, printed copies thereof were ordered furnished to the members of the convention of the 13 colonies. The 3rd and final draft of the Constitution was ordered printed by the Convention on September 15th 1787. Also that day, McHenry wrote in his notes that 500 copies be struck-printed,

September 17th 1787 he further noted “members to be provided with printed copies.” These printed copies were six-page broadsides bearing the imprint of Dunlap & Claypoole, one which, authenticated by representative James Madison, has been used as “copy” for the present reprint. Then it was ordered to be engrossed. The engrossed copy was signed by the Members in Convention on September 17th 1787. The original and engrossed copy is identical except for the minor interlineations having been made in the engrossed copy to conform to the original printed text of ‘the paper’ – Constitution of the United States.

2 Declarations of Independence

The only names of the first printed copy of the Declaration of Independence, which is attached to the original manuscript Journals of Congress as a part of the official record of proceedings on July 4th 1776, are printed as follows:

“Signed by Order and in Behalf of the Congress, John Hancock, President.
Attest, Charles Thomson, Secretary.”

The manuscript Journal of July 4th 1776 does not contain any other statement in regard to signing the Declaration at that time or the names of the Members present and agreeing to its adoption. The official Declaration sent to the state assemblies – 13, and General Washington for proclamation, by order of Congress – United States in Congress Assembled, not the United States of America in Congress for it was not set up yet. Where, likewise printed thereon an authentication only by Hancock and Thomson’s names were written. Their names are signed to the first-original publication of the Declaration, on July 6th, 1776. As printed in the evening paper the ‘Pennsylvania Evening Post of Philadelphia which did not include any other signatures. July 19th 1776, Congress adopted the following resolution: “Resolved, That the Declaration passed on July 4th 1776, be fairly engrossed on parchment with the title and stile of ‘The unanimous Declaration of the thirteen united States of America’ and that the same, when engrossed, be signed by every member of Congress.”

The Journal of August 2nd 1776, says: “The declaration of independence being engrossed and compared at the table was signed by the members.”

Summary

The official Constitution was completed August 4th 1787 before September 8th 1787 where it was given to a committee to be revised and rearranged on that day. That new version completed September 12th 1787 was given to the members to be signed by the convention; the 2nd Constitution. [See pages 48, 49, 96th Congress, 1st session House Document No. 96-143] 2 Constitutions, original for sakima iban salih el bey and the engrossed copy for officer Johnson, McElroy representative for STATE OF ARKANSAS et al.

One Citizen having privileges and immunities already Petitioner and the other citizen STATE OF ARKANSAS et al now entitled to privileges and immunities as laid out in Article 4 sec. 2 Constitution of the United States.

The original Declaration was completed August 4th 1776, entitled: "A Declaration" [see page 1 96th Congress, 1st session House Document No. 96-143]. The original was only signed by John Hancock President, Charles Thomson Secretary August 4th 1776; no other members present at the Convention signed it - A Declaration. The engrossed copy July 19th 1776, after July 4th 1776, was "Resolved" to be 'titled and stiled' 'The unanimous Declaration of the thirteen united States of America' that document was engrossed and that one was signed by members of the convention that were present; 2 Declarations, one for sakima iban salih el bey the other for officer's Johnson, McElroy representative for STATE OF ARKANSAS et al.

REQUEST FOR DECLARATION AS A NATIONAL OF THE UNITED STATES

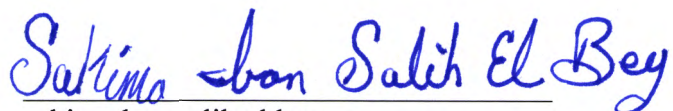
This controversy within the jurisdiction, as a civil action, where the District Court of the United States, not United States District Court of United States of America from this pleading declares Article 4, sec.2 privileges and immunities which were taken by defendants actions, and behavior without cause, law, or delegated order of authority.

Petitioner claims jurisdiction from 8 USC 1503(a)...being a National, and was denied such privilege, petitioner herein requests, and makes a "Declaration" from this declaring, and seeks a Judicial declaration as being a National of the United States, out of the jurisdiction of United States of America and in the jurisdiction of the United States.

CLOSING

- 1 Petitioner requests declaratory judgment on the issues expressed; list the name of sakima iban salih el bey in the system of law enforcement is out of their jurisdiction inter alia.
- 2 Petitioner seeks damages for violations of 42 USC 1983 and 1985 because defendants fail to state a claim upon which relief can be granted.
- 3 Remove officers Johnson, and McElroy from the police force of West Memphis, AR.

This 31st day of March 2019.


sakima ban salih el bey

Acknowledgment

State Tennessee)
)
County Shelby)

SUBSCRIBED AND SWORN TO before me JIBRI L.M. SHABAZZ Notary Public by
sakima iban salih el bey, known to me or proven to me to be the real man signing this document
this 3rd day of April, 20 19.

WITNESS my hand and official seal.

Jibril L.M. Shabazz
NOTARY PUBLIC

My commission expires:



SEAL